HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26036 of 2006

Dated:27.12.2006

Between:

Ichrah Bai, and others.

…Petitioner

and

The Revenue Divisional Officer and others.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26036 of 2006

ORDER:

The four petitioners are allegedly owners of land admeasuring Acs.54.36 guntas in Survey Nos.293 to 295 situated at Ravalkole Village of Medchal Mandal in Ranga Reddy District. They allege that they purchased the same under registered sale deed dated 12.09.1990. The father of respondents 3 to 6 and the second respondent got entries in their favour in the pahanies for the years 1989-1990 to 1994-1995. Aggrieved by the same, the petitioners preferred an appeal before the first respondent, being Appeal No.A2/73/2001. It is the case of the petitioners that though the appeal was heard and orders were reserved on 21.04.2004, the first respondent did not pronounce any orders. They seek a direction to the appellate authority to pass orders in the appeal.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-T) submits that the then Revenue Divisional Officer reserved the matter on 21.04.2004, and subsequently, as per the notings in the note file, on 24.07.2004, orders were pronounced. He fairly submits that the copy of the order passed by the first respondent, however, is not found in the current file.

When any order is passed by a quasi judicial authority, mere endorsement/noting in the note file does not amount to passing order. There should be separate order duly signed by the competent authority. Now that it is admitted that no such order is found in the file, the first respondent may reopen the matter now, give notice to respondents 2 to 8, and pass a fresh order, if necessary by giving another opportunity to the petitioners and the contesting respondents. In case respondents 2 to 8 produce a copy of the order earlier passed by the first respondent,

necessary enquiry shall be made into the same. If the order is not passed, the first respondent shall now pass orders within a period of ten days from the date of receipt of a copy of this order.

The Writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

27.12.2006

Note: Issue C.C in one week.

B/o.

vs